

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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**MARIE BAPTISTE-ELMINE, JAVIER CRUZ, FREDDY
ELMINE, YVONNE JONES, ALICIA LOMBARDO,
OCHIEZE OKORONKWO, PRECILIA OKORONKWO,
REBECCA PEREZ, ROSE PROPHETE, DICKSON
REGALADO, and TYRONE STEWART,**

**Index No.: 21-cv-
4994(RPK)(PK)**

**DECLARATION OF
DANIEL H. RICHLAND**

Plaintiffs,

-against-

**RICHLAND & FALKOWSKI, PLLC and SN
SERVICING CORPORATION,**

Defendants.
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Daniel H. Richland, Esq., an attorney duly admitted to practice law in the Eastern District of New York, hereby declares the following under the penalties of perjury:

1. I am a principal of Defendant Richland & Falkowski, PLLC, *pro se*. After a review of the case file, a review of my notes, discussions with my clients, and upon my own independent research, I am fully familiar with the facts of this case.

2. Attached hereto as **Exhibit A** is a true copy of a Deed dated March 8, 2006 made by Julio Carrillo and Carmen Carrullo to Javier Cruz and Rebecca Perez, tenants by the entirety, and duly recorded in the Office of the City Register for the City of New York.

3. Attached hereto as **Exhibit B** is a true copy of a Mortgage dated February 27, 2007 made by Javier Cruz and Rebecca Perez in the principal sum of \$25,000.00 and duly recorded in the Office of the City Register for the City of New York.

4. Attached hereto as **Exhibit C** is a true copy of the Summons and Complaint dated December 19, 2020 and filed February 22, 2021 in the action entitled *BCMBI Trust v. Cruz, et al*, bearing Index No.: 504189/2021, Kings County Supreme Court.

5. Attached hereto as **Exhibit D** is a true copy of a Deed dated September 26, 2006 made by Freddy Elmine to Freddy Elmine and Marie Baptiste-Elmine, husband and wife, and duly recorded in the Office of the City Register for the City of New York.

6. Attached hereto as **Exhibit E** is a true copy of a Consolidation, Extension, and Modification Agreement dated September 26, 2006 between Freddie Elmine, Marie Baptiste-Elmine, Mortgage Electronic Registration Systems, Inc., and Countrywide Home Loans, Inc., consolidating certain mortgages into a single consolidated lien of \$433,000, which Agreement was duly recorded in the Office of the City Register for the City of New York.

7. Attached hereto as **Exhibit F** is a true copy of Mortgage dated January 17, 2007 made by Freddie Elmine and Marie Baptiste-Elmine to Countrywide Home Loans, Inc. in the principal sum of \$37,450.00, which Mortgage was duly recorded in the Office of the City Register for the City of New York.

8. Attached hereto as **Exhibit G** is a true copy of the Complaint dated September 28, 2020 and filed the same date in the action entitled *BCMBI Trust v. Elmine, et al*, bearing Index No.: 717009/2020, Queens County Supreme Court.

9. Attached hereto as **Exhibit H** is a true copy of a Deed dated February 17, 2006 made by Olivia Tomlin to Yvonne Prescott and duly recorded in the Office of the City Register for the City of New York.

10. Attached hereto as **Exhibit I** is a true copy of a Mortgage dated February 17, 2006 made by Yvonne Prescott to Mortgage Electronic Registration Systems, Inc., acting solely as

nominee for Fremont Investment & Loan in the principal sum of \$65,780.00, which Mortgage was duly recorded in the Office of the City Register for the City of New York.

11. Attached hereto as **Exhibit J** is a true copy of the Summons and Complaint dated January 28, 2021 and filed the same date in the action entitled *NS194, LLC v. Prescott, et al*, bearing Index No.: 502303/2021, Kings County Supreme Court.

12. Attached hereto as **Exhibit K** is a true copy of the Mortgage dated February 15, 2007 made by Alicia D. Quinn to Countrywide Home Loans, Inc. and duly recorded in the Erie County Clerk's Office.

13. Attached hereto as **Exhibit L** is a true copy of the Summons and Complaint dated February 9, 2021 and filed March 30, 2021 in the action entitled *BCMB1 Trust v. Quinn, et al*, bearing Index No.: 804209/2021, Erie County Supreme Court.

14. Attached hereto as **Exhibit M** is a true copy of the Deed dated January 17, 2006 made by Laura M. Wigfall and Larrine Gholston to Precilia Okoronkwo and Ochieze Okoronkwo, as joint tenants, and duly recorded in the Office of the City Register for the City of New York.

15. Attached hereto as **Exhibit N** is a true copy of the Mortgage dated January 17, 2006 made by Precilia Okoronkwo and Ochieze Okoronkwo to WMC Mortgage Corp. in the principal sum of \$85,000.00 and duly recorded in the Office of the City Register for the City of New York.

16. Attached hereto as **Exhibit O** is a true copy of the Summons and Complaint dated March 23, 2021 and filed March 24, 2021 in the action entitled *NS194, LLC v. Okoronkwo, et al*, bearing Index No.: 804084/2021E, Bronx County Supreme Court.

17. Attached hereto as **Exhibit P** is a true copy of the Deed dated May 20, 2005 made by Susan Chernov and Isadore Unger, as Trustees to Rose Prophete and Ernst Gabriel and duly recorded in the Office of the City Register for the City of New York.

18. Attached hereto as **Exhibit Q** is a true copy of the Consolidation, Extension and Modification Agreement dated August 15, 2006 between Rose Prophete, Ernst Gabriel, Mortgage Electronic Registration Systems, Inc., and Fairmont Funding, Ltd., consolidating certain mortgages into a single consolidated lien of \$504,000.00, which Agreement was duly recorded in the Office of the City Register for the City of New York.

19. Attached hereto as **Exhibit R** is a true copy of the Mortgage dated August 16, 2006 made by Rose Prophete and Ernst Gabriel to Fairmont Funding, Ltd. in the principal sum of \$63,000.00, which Mortgage was duly recorded in the Office of the City Register for the City of New York.

20. Attached hereto as **Exhibit S** is a true copy of the Summons and Complaint dated January 28, 2021 in the action entitled *NS194, LLC v. Prophete, et al*, bearing Index No.: 502277/2021, Kings County Supreme Court.

21. Attached hereto as **Exhibit T** is a true copy of the Deed dated October 18, 2006 made by Elie Ribacoff and Gisele Ribacoff to Dickson A. Regalado, which Deed was duly recorded in the Office of the City Register for the City of New York.

22. Attached hereto as **Exhibit U** is a true copy of the Mortgage dated October 18, 2006 made by Dickson A. Regalado to Countrywide Bank, N.A. in the principal sum of \$79,712.00, which Mortgage was duly recorded in the Office of the City Register for the City of New York.

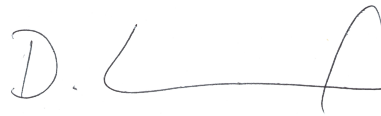
23. Attached hereto as **Exhibit V** is a true copy of the Complaint dated September 9, 2020 and filed the same date in the action entitled *BCMBI Trust v. Regalado, et al*, bearing Index No.: 715320/2020, Queens County Supreme Court.

24. Attached hereto as **Exhibit W** is a true copy of the Deed dated June 30, 2004 made by Marjorie Brown to Tyrone Stewart, which Deed was duly recorded in the Office of the City Register for the City of New York.

25. Attached hereto as **Exhibit X** is a true copy of the Mortgage dated June 12, 2006 made by Tyrone Stewart to Capital One Home Loans, LLC, which Mortgage was duly recorded in the Office of the City Register for the City of New York.

26. Attached hereto as **Exhibit Y** is a true copy of the Summons and Complaint dated May 27, 2021 and filed May 28, 2021 in the action entitled *Star201, LLC v. Stewart, et al*, bearing Index No.: 807467/2021E, Bronx County Supreme Court.

Dated: January 18, 2022
Washingtonville, NY

A handwritten signature in black ink, appearing to read 'D. Richland', with a stylized flourish at the end.

Daniel H. Richland, Esq.
Richland & Falkowski, PLLC
5 Fairlawn Drive, Suite 204
Washingtonville, New York 10992
Pro Se